

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2003-091237

12/09/2003

HONORABLE CONNIE CONTES

CLERK OF THE COURT  
K. Stone  
Deputy

IN RE THE MARRIAGE OF  
TAMERA S GRELL

FILED: 12/23/2003

RICHARD T FULLER

AND

ERIC A GRELL

ERIC A GRELL  
PO BOX 95  
VENTURA IA 50482

CONCILIATION SERVICES-SE  
MCSO-OIC  
PARENTING SKILLS PROGRAM  
SUPPORT SERVICES-SE

MINUTE ENTRY

10:17 A.M. This is the time set for Comprehensive Pretrial Conference. Petitioner/ Mother, Tamera S. Grell, is present with counsel, Richard T. Fuller. Respondent/Father, Eric A. Grell, is present telephonically on his own behalf.

A record of the proceeding is made by CD (FTR) in lieu of a court reporter.

LET THE RECORD REFLECT the Court has received the pretrial statement from Petitioner's counsel.

Petitioner's pretrial statement is read to Respondent by the Court.

Tamera S. Grell and Eric A. Grell are sworn.

The parties state they agree with certain agreements set forth in the pretrial statement and as stated on the record.

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2003-091237

12/09/2003

THE COURT FINDS the agreements are not a result of coercion, are fair and equitable, in the best interests of the parties' minor children, are binding upon the parties pursuant to Rule 80(d), Arizona Rules of Civil Procedure, and the Court adopts the agreements as the orders of the Court.

Based on agreement of the parties,

IT IS ORDERED:

1. Wife is awarded the 1993 Ford Econoline van as her sole and separate property and any debt thereon as her sole and separate debt.
2. The personal property currently in the possession of each party shall be that party's sole and separate property subject to any liens or encumbrances thereon.
3. Father is awarded the NASCAR collectibles and pictures, Direct TV, Sanyo stereo, receiver, VCR, automotive instruction manuals, tackle box, and the Dale Earnhardt leather jacket as his sole and separate property.
4. The DHL Profit Sharing Plan valued at approximately \$25.00 is Mother's sole and separate property.
5. There are no real estate holdings, 401K Plans, or stocks to be divided.
6. Neither party shall pay spousal maintenance to the other party.
7. Family photographs will be duplicated and the cost of the duplication will be shared equally by the parties.
8. Father's monthly child support obligation effective July 1, 2003, is \$177.65.
9. The \$800.00 income tax rebate check shall be awarded to Mother.
10. All community debts shall be paid equally by the parties.
11. Any community property discovered by either party after today will be shared equally.
12. Mother is restored to her former name of ANDERSON.

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2003-091237

12/09/2003

IT IS ORDERED Mother's counsel and Father shall communicate directly regarding the best handling of the remaining community debts, particularly because Father states he is contemplating filing bankruptcy.

LET THE RECORD REFLECT the parties agree there is a child support arrearage owed by Father to Mother.

IT IS ORDERED in order to effect the cashing of the \$800.00 income tax rebate check for the benefit of Mother and the children, the Clerk of the Court shall endorse the check on behalf of Father based on Mother's entitlement to that performance. The Clerk of the Court can effect the signing of the check on Father's behalf so that the check can be cashed and given to Mother.

IT IS ORDERED, on an interim basis, Mother shall have sole legal custody of the minor children, Derek (DOB: 8/16/93) and Dillon (DOB: 7/31/95). Father may have supervised parenting time with the children only in Maricopa County. Father's parenting time must be supervised by Parenting Skills Program, 2131 East Broadway, Suite #15, Tempe, Arizona 85282, telephone (480) 967-6895, or a private supervisor. Father shall have no other contact of any kind with the children until further order of the Court.

IT IS ORDERED removing the children from the Order of Protection issued on May 29, 2003, for the sole purpose of allowing this matter to be referred to Conciliation Services. A Modified Order of Protection and Hearing Order Regarding Order of Protection is signed by the Court on December 9, 2003, and filed by the Clerk on December 9, 2003. A copy of the modified Order of Protection and the Hearing Order Regarding Order of Protection is given to Mother at the conclusion of the hearing. By agreement, a copy of the modified Order of Protection and the Hearing Order Regarding Order of Protection is mailed to Father this date by a separate mailing.

Based on the parties' agreement to waive confidentiality during the mediation, the Court contacts Conciliation Services in open court to set up an open negotiation date. The parties are instructed to contact Conciliation Services by telephone at 602-506-2300 on **FEBRUARY 5, 2004. Mother is instructed to contact Conciliation Services by telephone at 8:00 A.M. and Father is instructed to contact Conciliation Services by telephone at 8:15 A.M. on FEBRUARY 5, 2004.** Mother is instructed to report to Conciliation Services on the 1<sup>st</sup> floor of the Southeast Adult Facility immediately after the proceeding to begin the open negotiation process.

IT IS ORDERED referring this matter to Conciliation Services for **Open Negotiation** to determine and conduct services necessary and appropriate to address the issues of custody and/or parenting time. The parties shall comply with all instructions and directives by Conciliation Services.

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2003-091237

12/09/2003

IT IS ORDERED that, if deemed necessary, Conciliation Services may make a direct referral for a Dispute Assessment through the Open Negotiation Process.

THE COURT FINDS that at least one of the parties has been domiciled in the State of Arizona for more than 90 days preceding the filing of the petition; that the conciliation provisions of A.R.S. 25-381.09 do not apply or have been met; that the parties have completed the Parent Information Program; that Mother is not now pregnant; and that the marriage is irretrievably broken and there is no reasonable prospect for reconciliation.

IT IS ORDERED setting this matter for a telephonic status conference on **FEBRUARY 19, 2004 AT 9:30 A.M.** before the Honorable Connie Contes, Southeast Juvenile Facility, Courtroom 1, 1810 South Lewis Street, Mesa, Arizona. Time allotted: 15 minutes. Father is instructed to contact this division at 602-506-7768 at the time of the conference.

IT IS ORDERED that counsel and/or the parties shall continue to file all pleadings and documents related to this family court case at the Southeast Adult Facility located at 222 East Javelina Drive, Mesa, Arizona 85210.

11:04 A.M. Hearing concludes.

DATED the 9<sup>th</sup> day of December, 2003.

/ s / HON CONNIE CONTES

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JUDICIAL OFFICER OF THE SUPERIOR COURT

**PLEASE NOTE:** This Court utilizes a digital audio recording system to preserve the official record of proceedings. If a party wants a court reporter to record a proceeding in this Court, a written request must be filed at least 72 hours before the commencement of the proceedings. Persons requesting copies of recorded proceedings do not have to provide blank CDs. All CDs will be provided by the Court, regardless of when the copies are made. A fee of \$20.00 will apply to all copies requested, either on the day of the hearing or for hearings recorded on an earlier date. Counsel or litigants must complete the appropriate request form which may be obtained from the Self-Service Center or from Court staff and present the completed form to the Self-Service Center. All fees must be handled through the Self-Service Center. Upon payment of the appropriate fees through the Self-Service Center, a receipt will be issued which shall then be presented to Court staff for preparation of the CD.

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

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